

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

HEATHER NELSON,

Plaintiff,

v.

Case No.: 11-cv-307

SANTANDER CONSUMER USA, INC.,
PATRICK K. WILLIS CO., INC.,
d/b/a AMERICAN RECOVERY SERVICE,
ASSETSBIZ CORP. d/b/a ABC RECOVERY,

Honorable Barbara B. Crabb

Defendants.

**DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION IN LIMINE NUMBER 10:
TO EXCLUDE ANY REFERENCE TO THE AVAILABILITY
OF AN AWARD OF ATTORNEYS' FEES TO PLAINTIFF**

Defendant Santander Consumer USA, Inc., Patrick K. Willis Co., Inc., d/b/a American Recovery Service, and AssetsBiz Corp. d/b/a ABC Recovery ("Defendants"), by their attorneys, respectfully submit this Response to plaintiff Heather Nelson's Motion *in Limine* Number 10 which seeks an order excluding any reference to the availability of attorneys' fees to Plaintiff. [See D.E. #199].

Defendants do not oppose this Motion, so long as the restriction applies to all parties in the case. That is, so long as Plaintiff does not proffer any testimony or argument relating to her need to retain attorneys, or her legal fees or legal bills in relation to this action and/or Defendants, Defendants see no reason why the availability of an attorneys' fees award should be mentioned in front of the jury. However, in the event that Plaintiff or her counsel introduce testimony or argument regarding her need to retain attorneys or the legal fees or bills Plaintiff

has accrued, Defendants believe they should entitled to inform the jury that Plaintiff may be awarded her legal fees in this case in order to to give the jury the full picture on this issue.

Dated: May 24, 2013

SANTANDER CONSUMER USA, INC.,
PATRICK K. WILLIS CO., INC., d/b/a
AMERICAN RECOVERY SERVICE
AND ASSETSBIZ CORP., d/b/a/ ABC
RECOVERY

Defendants

s/ David Z. Smith _____
David. Z. Smith
Gary S. Caplan
Robert O'Meara
Reed Smith LLP
10 South Wacker Drive
Chicago, IL 60606
312.207.1000
dzsmith@reedsmith.com

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CERTIFICATE OF SERVICE

I, David Z. Smith, hereby state that on May 24, 2013, I electronically filed the foregoing **DEFENDANTS' RESPONSE TO PLAINTIFF'S MOTION IN LIMINE NUMBER 10** with the Clerk of the U.S. District Court for the Western District of Wisconsin using the ECF system, which will send notification to all parties of record.

By: /s/ David Z. Smith
David Z. Smith (IL ARDC No. 6256687)
REED SMITH LLP
10 South Wacker Drive
Chicago, Illinois 60606
(312) 207-1000